

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SORRELLS *et al.*

Appl. No.: 09/550,644

Filed: April 14, 2000

For: **Method and System for Down-
Converting an Electromagnetic
Signal, Transforms for Same, and
Aperture Relationships**

Confirmation No.: 9317

Art Unit: 2617

Examiner: Bhattacharya, Sam

Atty. Docket: 1744.0010009

Twelfth Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Twelfth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Eleventh Supplemental Information Disclosure Statement filed on April 13, 2006 in connection with the above-captioned application.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Documents AM25, AJ26, and AK26 were cited in an Office Action in related Japanese Patent Application No. 2002-048676, filed October 18, 1999, entitled "Integrated Frequency Translation and Selectivity with a Variety of Filter Embodiments," directed to related subject matter. Also cited in said Office Action was Japanese Patent Publication No. 60-130203, which has already been cited in the present application.

Document AL26 was cited in an Office Action in related U.S. Patent Application No. 10/305,299, filed November 27, 2002, entitled "Method and Apparatus for Improving Dynamic Range in a Communication System," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 4,380,828; 4,562,414; and 5,339,459, which have already been cited in the present application.

Documents AC74, AD74, AF75-AH75, AF77-AI77, AA78, and AD79-AF79 are co-owned patents which are directed to related subject matter.

Documents AE74 and AF74 were cited in an Office Action in related U.S. Patent Application No. 10/197,255, filed July 18, 2002, entitled "Networking Methods and Systems," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 5,703,584; 5,887,001; 6,298,065; and 6,850,742; and U.S. Patent Publication Nos. 2002/0080728 and 2002/0163921, which have already been cited in the present application.

Documents AG74-AI74, AA75, and AB75 were cited in an Office Action in related U.S. Patent Application No. 11/068,370, filed March 1, 2005, entitled "Method and System for Frequency Up-Conversion with a Variety of Transmitter Configurations," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 5,903,854 and 5,914,622, which have already been cited in the present application.

Document AC75 was cited in an Office Action in related U.S. Patent Application No. 09/567,977, filed May 10, 2000, entitled "Optical Down-converter Using Universal Frequency Translation Technology," directed to related subject matter. Also cited in said Office Action was Deboo, Gordon J., *Integrated Circuits and Semiconductor Devices*, 2nd Edition, McGraw Hill, Inc., pp. 41-45 (1977), which has already been cited in the present application.

Documents AD75-AE75 were cited in an Office Action in related U.S. Patent Application No. 10/086,367, filed March 4, 2002, entitled "Method and System for Frequency Up-Conversion," directed to related subject matter. Also cited in said Office Action was U.S. Patent No. 6,091,940, which has already been cited in the present application.

Documents AD75 and AE80 were cited in an Office Action in related U.S. Patent Application No. 10/086,367, filed March 4, 2002, entitled "Method and System for Frequency Up-Conversion," directed to related subject matter.

Document AI75 was cited in an Office Action in related U.S. Patent Application No. 10/197,253, filed July 18, 2002, entitled "Networking Methods and Systems," directed to related subject matter.

Documents AA76-AD76 were cited in an Office Action in related U.S. Patent Application No. 11/107,861, filed April 18, 2005, entitled "Method and Apparatus for a Parallel Correlator and Applications Thereof," directed to related subject matter.

Documents AE76-AI76 were cited in an Office Action in related U.S. Patent Application No. 11/230,732, filed September 21, 2005, entitled "Applications of Universal Frequency Translation," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 6,208,636 and 7,016,663, which have already been cited in the present application.

Documents AA77-AE77 were cited in a Notice of Allowance in related U.S. Patent Application No. 10/961,253, filed October 12, 2004, entitled "Apparatus, System, and Method for Down Converting and Up Converting Electromagnetic Signals," directed to related subject matter. Also cited in said Notice of Allowance was U.S. Patent No. 6,404,823, which has already been cited in the present application.

Documents AB78-AI78 and AA79 were cited in an Office Action in related U.S. Patent Application No. 10/318,207, filed December 13, 2002, entitled "Method and Apparatus for Reducing Re-Radiation Using Techniques of Universal Frequency Translation Technology," directed to related subject matter.

Document AB79 was cited in an Office Action in related U.S. Patent Application No. 09/476,092, filed January 3, 2000, entitled "Analog Zero IF FM Decoder and Embodiments Thereof, Such as the Family Radio Service," directed to related subject matter.

Document AC79 was cited in an Office Action in related U.S. Patent Application No. 11/173,021, filed July 5, 2005, entitled "Method and Circuit for Down-Converting a Signal," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 3,694,754 and 6,393,070, which have already been cited in the present application.

Document AG79 was cited in an International Search Report and Written Opinion in related PCT Application No. PCT/US2004/013813, filed April 30, 2004, entitled "Real-Time Wireless Exchange of Objects," directed to related subject matter.

Documents AO62, AH79, AI79, AA80, and AB80 were identified in a search relating to U.S. Patent Application No. 11/582,367, filed October 18, 2006, entitled "Apparatus and Method for Communicating an Input Signal in Polar Representation," directed to related subject matter.

Document AC80 was cited in an Office Action in related U.S. Patent Application No. 09/569,045, filed May 10, 2000, entitled "Methods and Apparatuses Relating to a Universal Platform Module and Enabled by Universal Frequency Translation Technology," directed to related subject matter. Also cited in said Office Action were U.S. Patent Nos. 5,844,868 and 5,982,315, which have already been cited in the present application.

Document AD80 was cited in an Office Action in related U.S. Patent Application No. 10/453,622, filed June 4, 2003, entitled "Active Polyphase Inverter Filter for Quadrature Signal Generation," directed to related subject matter. Also cited in said Office Action was Salous, S., "IF digital generation of FMCW waveforms for wideband channel characterization," IEE Proceedings-I, IEE, Vol. 139, No. 3, pp. 281-288 (June 1992), which has already been cited in the present application.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below:

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to

the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. An Online Credit Card Payment Authorization for the amount of \$180.00 to cover payment of the fee under 37 C.F.R. § 1.17(p) is being transmitted with this filing.

4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

6. A concise explanation of the relevance of the non-English language documents appears below in accordance with 37 C.F.R. § 1.98(a)(3):

Document AM25 (JP 61-232706) appears to describe a frequency converter for signals. An English language abstract of document AM25 is enclosed as document AP61.

Document AJ26 (JP 9-171399) appears to describe a sound synthesizing method and circuit. An English language abstract of document AJ26 is enclosed as document AQ61.

Document AK26 (JP 10-41860) appears to describe an echo canceller. An English language abstract of document AK26 is enclosed as document AR61.

Document AL26 (JP 10-173563) appears to describe an up-down tuner. An English language translation of document AL26 is enclosed as document AN62.

- 7. Copies of documents AM25, AJ26, AK26, AL26, AP61-AR61, AN62, and AO62 are enclosed. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of the U.S. patents and patent publications cited on the attached Form PTO-1449 are not enclosed.
- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- 9. It is expected that the examiner will review the prosecution and cited art in the parent application nos. 09/521,879, filed March 9, 2000, 09/293,342, filed April 16, 1999 (now U.S. Pat. No. 6,687,493), and 09/176,022, filed October 21, 1998 (now U.S. Pat. No. 6,061,551), in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution histories has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Virgil L. Beaston
Attorney for Applicants
Registration No. 47,415

Date: November 2, 2006

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Washington, D.C. 20005-3934
(202) 371-2600

602795_1.DOC

FORM PTO-1449			ATTY. DOCKET NO. 1744.0010009	APPLICATION NO. 09/550,644			
<u>TWELFTH SUPPLEMENTAL</u> <u>INFORMATION DISCLOSURE STATEMENT</u>			FIRST NAMED INVENTOR David F. SORRELLS				
			FILING DATE April 14, 2000	ART UNIT 2617			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC74	7,027,786 B1	04/2006	Smith <i>et al.</i>			
	AD74	7,039,372 B1	05/2006	Sorrells <i>et al.</i>			
	AE74	6,591,310 B1	07/2003	Johnson			
	AF74	6,963,626 B1	11/2005	Shaeffer <i>et al.</i>			
	AG74	4,811,422	03/1989	Kahn			
	AH74	5,825,257	10/1998	Klymyshyn <i>et al.</i>			
	AI74	5,986,600	11/1999	McEwan			
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes
	AK						No
	AL						Yes
	AM25	JP 61-232706	10/1986	JP			No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
EXAMINER INITIAL	DOC. REF.	CITATION					
	AN						
	AO						
	AP61	English-language Abstract of Japanese Patent Publication No. JP 61-232706, data supplied by espacenet.com, 1 page (October 17, 1986 - Date of publication of application).					
	AQ61	English-language Abstract of Japanese Patent Publication No. JP 9-171399, data supplied by espacenet.com, 1 page (June 30, 1997 - Date of publication of application).					
	AR61	English-language Abstract of Japanese Patent Publication No. JP 10-41860, data supplied by espacenet.com, 1 page (February 13, 1998 - Date of publication of application).					
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA75	6,865,399 B2	03/2005	Fujioka <i>et al.</i>			
	AB75	2006/0039449 A1	02/2006	Fontana <i>et al.</i>			
	AC75	5,847,594	12/1998	Mizuno			
	AD75	3,641,442	02/1972	Boucher			
	AE75	5,140,699	08/1992	Kozak			
	AF75	7,050,508 B2	05/2006	Sorrells <i>et al.</i>			
	AG75	7,054,296 B1	05/2006	Sorrells <i>et al.</i>			
	AH75	7,065,162 B1	06/2006	Sorrells <i>et al.</i>			
	AI75	2003/0149579 A1	08/2003	Begemann <i>et al.</i>			
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ26	JP 9-171399	06/1997	JP			No
	AK26	JP 10-41860	02/1998	JP			No
	AL26	JP 10-173563	06/1998	JP			Yes (Doc. AN62)
	AM						Yes No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
EXAMINER INITIAL	DOC. REF.	CITATION					
	AN62	English-language Computer Translation of Japanese Patent Publication No. JP 10-173563, provided by the JPO, 10 pages (June 26, 1998 - Date of publication of application) and cited in U.S. Patent Application Ser. No. 10/305,299, directed to related subject matter.					
	AO62	What is I/Q Data?, printed September 16, 2006, from http://zone.ni.com , 8 pages (Copyright 2003).					
	AP						
	AQ						
	AR						
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							

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			U.S. PATENT DOCUMENTS				
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA76	5,535,402	07/1996	Leibowitz <i>et al.</i>			
	AB76	6,512,785 B1	01/2003	Zhou <i>et al.</i>			
	AC76	6,567,483 B1	05/2003	Dent <i>et al.</i>			
	AD76	6,775,684 B1	08/2004	Toyoyama <i>et al.</i>			
	AE76	4,740,792	04/1988	Sagey <i>et al.</i>			
	AF76	5,239,687	08/1993	Chen			
	AG76	5,552,789	09/1996	Schuermann			
	AH76	5,905,433	05/1999	Wortham			
	AI76	6,647,270 B1	11/2003	Himmelstein			
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
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	AA77	6,034,566	03/2000	Ohe			
	AB77	6,313,700 B1	11/2001	Nishijima <i>et al.</i>			
	AC77	6,959,178 B2	10/2005	Macedo <i>et al.</i>			
	AD77	6,999,747 B2	02/2006	Su			
	AE77	2004/0125879 A1	07/2004	Jaussi <i>et al.</i>			
	AF77	7,072,390 B1	07/2006	Sorrells <i>et al.</i>			
	AG77	7,072,427 B2	07/2006	Rawlins <i>et al.</i>			
	AH77	7,076,011 B2	07/2006	Cook <i>et al.</i>			
	AI77	7,082,171 B1	07/2006	Johnson <i>et al.</i>			
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
EXAMINER INITIAL	DOC. REF.	CITATION					
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	AA78	7,085,335 B2	08/2006	Rawlins <i>et al.</i>			
	AB78	3,739,282	06/1973	Bruch <i>et al.</i>			
	AC78	4,439,787	03/1984	Mogi <i>et al.</i>			
	AD78	4,866,441	09/1989	Conway <i>et al.</i>			
	AE78	4,885,671	12/1989	Peil			
	AF78	5,164,985	11/1992	Nysen <i>et al.</i>			
	AG78	5,734,683	03/1998	Hulkko <i>et al.</i>			
	AH78	5,918,167	06/1999	Tiller <i>et al.</i>			
	AI78	6,445,726 B1	09/2002	Gharpurey			
FOREIGN PATENT DOCUMENTS							
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	AJ						Yes No
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	AL						Yes No
	AM						Yes No
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	AA79	6,560,451 B1	05/2003	Somayajula			
	AB79	4,143,322	03/1979	Shimamura			
	AC79	2,530,824	11/1950	King			
	AD79	7,107,028 B2	09/2006	Sorrells <i>et al.</i>			
	AE79	7,110,435 B1	09/2006	Sorrells <i>et al.</i>			
	AF79	7,110,444 B1	09/2006	Sorrells <i>et al.</i>			
	AG79	6,973,476 B1	12/2005	Naden <i>et al.</i>			
	AH79	5,834,987	11/1998	Dent			
	AI79	RE37,138 E	04/2001	Dent			
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
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	AM						Yes No
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	AA80	6,441,694 B1	08/2002	Turcotte <i>et al.</i>			
	AB80	6,892,057 B2	05/2005	Nilsson			
	AC80	6,741,650 B1	05/2004	Painchaud <i>et al.</i>			
	AD80	6,441,659 B1	08/2002	Demone			
	AE80	2002/0132642 A1	09/2002	Hines <i>et al.</i>			
	AF						
	AG						
	AH						
	AI						
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOC. REF.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AJ						Yes No
	AK						Yes No
	AL						Yes No
	AM						Yes No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
EXAMINER INITIAL	DOC. REF.	CITATION					
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	AR						
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